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Attorneys for Federal Defendants
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14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 GILBERT P. HYATT,
17 Plaintiff,

18 v.

19 UNITED STATES PATENT AND
TRADEMARK OFFICE and MICHELLE K.
20 LEE, Deputy Under Secretary of Commerce for
Intellectual Property, and Deputy Director of the
21 United States Patent and Trademark Office,
22 Defendants.

Case No.: 2:14-cv-00311-LDG-GWF

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE
REPLY IN SUPPORT OF FEDERAL
DEFENDANTS' MOTION TO
DISMISS OR, IN THE
ALTERNATIVE, STRIKE**

23 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1, Defendants Michelle
24 K. Lee and the United States Patent and Trademark Office (collectively "USPTO") respectfully
25 move for a two-week extension of time, to June 23, 2014, to file a reply in support of their Motion to
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1 Dismiss or, in the Alternative, Strike. A response is currently due June 9, 2014. Mr. Hyatt's counsel
2 have advised that they do not oppose this request for additional time.

3 In support of this motion, the USPTO relies on the following Memorandum of Points and
4 Authorities.

5 Dated: June 9, 2014

6 Respectfully submitted,

7 DANIEL G. BOGDEN
8 United States Attorney

9 /s/ Molly R. Silfen
10 MOLLY R. SILFEN
11 Special Assistant United States Attorney

12 **MEMORANDUM OF POINTS AND AUTHORITIES**

13 Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1 allow a party to request
14 additional time to perform an act. Here, the USPTO's request for additional time to file a reply in
15 support of its Motion to Dismiss or, in the Alternative, Strike is warranted because of the schedule of
16 counsel for the USPTO. Specifically, Mr. Hyatt's response was filed on Friday, May 30, 2014. The
17 undersigned defense counsel had an oral argument at the Court of Appeals for the Federal Circuit on
18 Tuesday, June 3, 2014, and has a brief due in a different appeal at the Federal Circuit on Thursday,
19 June 12, 2014. The USPTO also has a reply brief due in this Court, in case no. 2:14-cv-00011-JCM-
20 NJK, on the same day as this brief, June 9, 2014. The USPTO is requesting a two-week extension
21 until June 23, 2014, in that case as well.

22 Mr. Hyatt's counsel have advised that they do not oppose this request for additional time.

23 For these reasons, the USPTO respectfully requests that the Court extend the deadline to file
24 a reply in support of the USPTO's Motion to Dismiss or, in the Alternative, Strike to June 23, 2014.
25 This request is made in good faith and not for purposes of undue delay.
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1 Dated: June 9, 2014

2 Respectfully submitted,

3 DANIEL G. BOGDEN
4 United States Attorney

5 /s/ Molly R. Silfen
6 MOLLY R. SILFEN
7 Special Assistant United States Attorney

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10 IT IS SO ORDERED.

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12 UNITED STATES DISTRICT JUDGE
13 LLOYD D. GEORGE

14 Dated: 9 June 2014
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